

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ROBERT MANN,

Plaintiff,

Case No. 15-cv-12736

v

Honorable Thomas L. Ludington

WASTE MANAGEMENT OF MICHIGAN, Inc.,

Defendant.

ORDER REJECTING PROPOSED STIPULATED ORDER

Plaintiff Robert Mann commenced the above-captioned action by filing his complaint on August 4, 2015. ECF No. 1. Mann alleges that his former employer, Defendant Waste Management of Michigan, terminated his employment in violation of the Persons with Disabilities Civil Rights Act, MCL 37.1101, *et seq.*, the Americans with Disabilities Act, 42 U.S.C. § 12112(a), and the Elliot-Larsen Civil Rights Act, MCL 37.2101, *et seq.* *Id.* An initial scheduling order was issued on October 5, 2015. Pursuant to a stipulation by the parties, the Court ordered a 30-day extension to the scheduling order on December 29, 2015.

In the attached proposed stipulated order, the parties seek a 75-day extension to the current scheduling order, explaining that they have scheduled facilitation with Judge James J. Rashid on April 29, 2016. Under Federal Rule of Civil Procedure 6(b)(1), extensions should only be granted for good cause. Furthermore, as explained in the Judge's practice guidelines, the Court along with the parties are responsible for advancing cases toward prompt and just resolutions.

The parties have not shown that a 75-extension of the scheduling order is necessary, or why they are unable to conduct discovery prior to facilitation. The parties have already been granted an extension of over 30 days in this matter. Furthermore, as the scheduling order currently stands, the parties will have over two weeks to prepare dispositive motions in the event that the April 29, 2016 facilitation is unsuccessful.

Accordingly, it is **ORDERED** that the stipulation seeking a second extension of the scheduling order is **REJECTED**.

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge

Dated: February 26, 2016

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on February 26, 2016.

s/Michael A. Sian
MICHAEL A. SIAN, Case Manager

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

ROBERT MANN,

Plaintiff,

vs.

WASTE MANAGEMENT OF
MICHIGAN, INC., a corporation,

Defendant.

CASE NO. 1:15-CV-12736

HON. THOMAS L. LUDINGTON

MAG. PATRICIA T. MORRIS

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STIPULATED ORDER EXTENDING SCHEDULING ORDER DATES

The parties have been exchanging settlement demands/offers in this matter. In order to determine if the matter can be resolved, the parties have recently agreed on a facilitation process, and further have agreed on a facilitator, Ret. Judge James J. Rashid. Both parties have had consistent success settling matters with Judge

Rashid's assistance, and have obtained consent of their clients to retain him for facilitation. However, Judge Rashid's schedule is such that the parties cannot facilitate with him until April 29, 2016. The parties propose to stay activity in the case until this facilitation, in the hopes of devoting the savings to maximizing the chance for settlement. This case has had one discovery extension to date.

Accordingly, upon consideration of the stipulation of the parties by their undersigned counsel and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that discovery is stayed pending facilitation.

IT IS FURTHER ORDERED that following facilitation, if the matter is not resolved, the parties shall have until Friday July 1, 2016 to complete discovery.

IT IS FURTHER ORDERED that a revised Scheduling Order will be entered extending the dispositive motion deadline by at least 30 days from the discovery cut-off, and extending all other dates in the current Scheduling Order (ECF #10 and 11) proportionally as determined by the Court.

IT IS FURTHER ORDERED that following the facilitation, Plaintiff shall contact the Court to advise of the status of the case.

IT IS SO ORDERED.

DATED: _____

Hon. Thomas L. Ludington
United States District Court Judge

The undersigned stipulate to the entry of the above Order:

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/s/ Sarah S. Prescott

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DATED: February 17, 2016

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/s/ William B. Balke (with consent)

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DATED: February 17, 2016